

Senate Amendment 3200

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1 1 Amend House File 644, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <DIVISION I
1 6 GENERAL PROVISIONS RELATING
1 7 TO CONDUCT OF ELECTIONS
1 8 Section 1. Section 2.27, Code 2005, is amended to
1 9 read as follows:
1 10 2.27 CANVASS OF VOTES FOR GOVERNOR.
1 11 The general assembly shall meet in joint session on
1 12 the same day the assembly first convenes in January of
1 13 1979 and every four years thereafter as soon as both
1 14 houses have been organized, and canvass the votes cast
1 15 for governor and lieutenant governor and determine the
1 16 election. ~~If an election is necessary under section~~
~~1 17 69.13 to fill a vacancy in the office of lieutenant~~
~~1 18 governor, the general assembly shall similarly meet on~~
~~1 19 the day it convenes in the January following that~~
~~1 20 election and canvass the vote cast for the office.~~
1 21 When the canvass is completed, the oath of office
1 22 shall be administered to the persons or person so
1 23 declared elected. Upon being inaugurated the governor
1 24 shall deliver to the joint assembly any message the
1 25 governor may deem expedient.
1 26 Sec. 2. Section 43.6, subsection 2, Code 2005, is
1 27 amended to read as follows:
1 28 2. When a vacancy occurs in the office of county
1 29 supervisor or any of the offices listed in section
1 30 39.17 and more than seventy days remain in the term of
1 31 office following the next general election, the office
1 32 shall be filled for the balance of the unexpired term
1 33 at that general election unless the vacancy has been
1 34 filled by a special election called more than seventy=
1 35 three days before the primary election. If the
1 36 vacancy occurs more than seventy=three days before the
1 37 primary election, political party candidates for that
1 38 office at the next general election shall be nominated
1 39 at the primary election. If an appointment to fill
1 40 the vacancy in office is made eighty=eight or more
1 41 days before the primary election and a petition
1 42 requesting a special election has not been received
1 43 within fourteen days after the appointment is made,
1 44 candidates for the office shall be nominated at the
1 45 primary election.
1 46 Sec. 3. Section 43.14, Code 2005, is amended to
1 47 read as follows:
1 48 43.14 FORM OF NOMINATION PAPERS.
1 49 1. Nomination papers shall include a petition and
1 50 an affidavit of candidacy. All nomination petitions
2 1 shall be eight and one-half by eleven inches in size
2 2 and in substantially the form prescribed by the state
2 3 commissioner of elections. They shall include or
2 4 provide spaces for the following information:
2 5 a. A statement identifying the signers of the
2 6 petition as eligible electors of the appropriate
2 7 county or legislative district and of the state.
2 8 b. The name of the candidate nominated by the
2 9 petition.
2 10 c. For nomination petitions for candidates for the
2 11 general assembly, a statement that the residence of
2 12 the candidate is within the appropriate legislative
2 13 district, or if that is not true, that the candidate
2 14 will reside there within sixty days before the
2 15 election. For other offices, a statement of the name
2 16 of the county where the candidate resides.
2 17 d. The political party with which the candidate is
2 18 a registered voter.
2 19 e. The office sought by the candidate, including
2 20 the district number, if any.
2 21 f. The date of the primary election for which the
2 22 candidate is nominated.
2 23 2. Signatures on a petition page shall be counted
2 24 only if the ~~required~~ information required in

2 25 subsection 1 is written or printed at the top of the
2 26 page. Nomination papers on behalf of candidates for
2 27 seats in the general assembly need only designate the
2 28 number of the senatorial or representative district,
2 29 as appropriate, and not the county or counties, in
2 30 which the candidate and the petitioners reside. A
2 31 signature line shall not be counted if the line lacks
2 32 the signature of the eligible elector and the signer's
2 33 address and city. ~~The person examining the petition~~
2 34 ~~shall mark any deficiencies on the petition and~~
2 35 ~~affidavit. A signature line shall not be counted if~~
2 36 ~~the signer's address is obviously outside the~~
2 37 ~~boundaries of the district.~~

2 38 ~~2- 3. The person examining the petition shall~~
2 39 ~~mark any deficiencies on the petition and affidavit.~~

2 40 Signed nomination petitions and the signed and
2 41 notarized affidavit of candidacy shall not be altered
2 42 to correct deficiencies noted during examination. If
2 43 the nomination petition lacks a sufficient number of
2 44 acceptable signatures, the nomination petition shall
2 45 be rejected and shall be returned to the candidate.

2 46 4. The nomination papers shall be rejected if the
2 47 affidavit lacks any of the following:

- 2 48 a. The candidate's name.
- 2 49 b. The name of the office sought, including the
2 50 district, if any.
- 3 1 c. The political party name.
- 3 2 d. The signature of the candidate.
- 3 3 e. The signature of a notary public or other
3 4 officer empowered to witness oaths.

3 5 5. The candidate may replace a deficient affidavit
3 6 with a corrected affidavit only if the replacement
3 7 affidavit is filed before the filing deadline. The
3 8 candidate may resubmit a nomination petition that has
3 9 been rejected by adding a sufficient number of pages
3 10 or signatures to correct the deficiency. A nomination
3 11 petition and affidavit filed to replace rejected
3 12 nomination papers shall be filed together before the
3 13 deadline for filing.

3 14 Sec. 4. Section 45.5, Code 2005, is amended to
3 15 read as follows:

3 16 45.5 FORM OF NOMINATION PAPERS.

3 17 1. Nomination papers shall include a petition and
3 18 an affidavit of candidacy. All nomination petitions
3 19 shall be eight and one-half by eleven inches in size
3 20 and shall be in substantially the form prescribed by
3 21 the state commissioner of elections. They shall
3 22 provide spaces for the following information:

3 23 a. A statement identifying the signers of the
3 24 petition as eligible electors of the appropriate ward,
3 25 city, county, school district or school district
3 26 director district, or legislative district and of the
3 27 state of Iowa.

3 28 b. The name of the candidate nominated by the
3 29 petition.

3 30 c. A statement that the candidate is or will be a
3 31 resident of the appropriate ward, city, county, school
3 32 district, or legislative or other district as required
3 33 by section 39.27.

3 34 d. The office sought by the candidate, including
3 35 the district number, if any.

3 36 e. The name and date of the election for which the
3 37 candidate is nominated.

3 38 2. Signatures on a petition page shall be counted
3 39 only if the ~~required~~ information required in
3 40 subsection 1 is written or printed at the top of the

3 41 page. Nomination papers on behalf of candidates for
3 42 seats in the general assembly need only designate the
3 43 number of the senatorial or representative district,
3 44 as appropriate, and not the county or counties, in
3 45 which the candidate and the petitioners reside. A
3 46 signature line in a nomination petition shall not be
3 47 counted if the line lacks the signature of the
3 48 eligible elector and the signer's address and city.

3 49 ~~The person examining the petition shall mark any~~
3 50 ~~deficiencies on the petition. A signature line shall~~
4 1 ~~not be counted if the signer's address is obviously~~
4 2 ~~outside the boundaries of the appropriate ward, city,~~
4 3 ~~school district or school district director district,~~
4 4 ~~or other district.~~

4 5 ~~2- 3.~~ The pages of the petition shall be securely

4 6 fastened together to form a single bundle. Nomination
4 7 petitions that are not bound shall be returned without
4 8 further examination. The state commissioner shall
4 9 prescribe by rule the acceptable methods for binding
4 10 nomination petitions.

4 11 ~~3-~~ 4. The person examining the petition shall
4 12 mark any deficiencies on the petition. Signed

4 13 nomination petitions and the signed and notarized
4 14 affidavit of candidacy shall not be altered to correct
4 15 deficiencies noted during the examination. If the
4 16 nomination petition lacks a sufficient number of
4 17 acceptable signatures, the nomination papers shall be
4 18 rejected and returned to the candidate.

4 19 5. The nomination papers shall be rejected if the
4 20 affidavit lacks any of the following:

- 4 21 a. The candidate's name.
- 4 22 b. The name of the office sought, including the
4 23 district, if any.
- 4 24 c. The signature of the candidate.
- 4 25 d. The signature of a notary public or other
4 26 officer empowered to witness oaths.

4 27 6. The candidate may replace a deficient affidavit
4 28 with a corrected one only if the replacement is filed
4 29 before the filing deadline. The candidate may
4 30 resubmit a nomination petition that has been rejected
4 31 by adding a sufficient number of pages or signatures
4 32 to correct the deficiency. A nomination petition and
4 33 affidavit filed to replace rejected nomination papers
4 34 shall be filed together before the deadline for
4 35 filing.

4 36 Sec. 5. Section 45.6, subsection 3, Code 2005, is
4 37 amended to read as follows:

4 38 3. All signers, for all nominations, of each
4 39 separate part of a nomination petition, shall reside
4 40 in the appropriate ward, city, county, school
4 41 district, ~~or~~ legislative district, or other district
4 42 as required by section 45.1.

4 43 Sec. 6. Section 49.8, Code 2005, is amended by
4 44 adding the following new subsection:

4 45 NEW SUBSECTION. 6A. Precinct boundaries
4 46 established by a city council pursuant to section 49.5
4 47 or 49.6, and not changed under subsections 1 through 5
4 48 since the most recent federal decennial census, may be
4 49 redrawn by the city council in accordance with
4 50 sections 49.3 and 49.5 once during the period
5 1 beginning January 1 of the second year following a
5 2 year in which a federal decennial census is taken and
5 3 ending June 30 of the year immediately following the
5 4 year in which the next succeeding federal decennial
5 5 census is taken, if the commissioner recommends that
5 6 the change will effect a substantial savings in
5 7 election costs. Changes made under this subsection
5 8 shall be made not later than ninety-nine days before a
5 9 city primary or runoff election, unless the changes
5 10 will not take effect until January 1 of the next odd=
5 11 numbered year.

5 12 Sec. 7. Section 49.10, subsection 4, Code 2005, is
5 13 amended to read as follows:

5 14 4. ~~No A~~ single room or area of any building or
5 15 facility ~~shall~~ may be fixed as the polling place for
5 16 more than one precinct ~~unless there are separate~~
5 17 ~~entrances each.~~ The location of each polling place
5 18 shall be clearly marked within the room or area on the

5 19 days on which elections are held as the ~~entrance to~~
5 20 location of the polling place of a particular
5 21 precinct, and suitable arrangements ~~are~~ shall be made
5 22 within the room or area to prevent direct access from
5 23 the polling place of any precinct to the polling place
5 24 of any other precinct. When the commissioner has
5 25 fixed such a polling place for any precinct it shall
5 26 remain the polling place at all subsequent elections,
5 27 except elections for which the precinct is merged with
5 28 another precinct as permitted by section 49.11, until
5 29 the boundaries of the precinct are changed or the
5 30 commissioner fixes a new polling place, except that
5 31 the polling place shall be changed to a point within
5 32 the boundaries of the precinct at any time not less
5 33 than sixty days before the next succeeding election
5 34 that a building or facility suitable for such use
5 35 becomes available within the precinct.

5 36 Sec. 8. NEW SECTION. 49.10A AUTHORITY TO

5 37 DESIGNATE SINGLE POLLING PLACE FOR MULTIPLE PRECINCTS.
5 38 1. Notwithstanding any provision of the law to the
5 39 contrary, for a general or primary election the
5 40 commissioner may assign a single polling place for
5 41 more than one precinct subject to the provisions of
5 42 this section. If a commissioner designates a polling
5 43 place under this section, the designation must first
5 44 be approved by the board of supervisors. Before
5 45 consideration of the commissioner's designation, the
5 46 board of supervisors shall hold a public hearing on
5 47 the matter. The public hearing shall be held not less
5 48 than sixty days before the election. Notice of the
5 49 date, time, and place of the hearing shall be given as
5 50 provided in chapter 21. The notice shall also
6 1 identify the precincts that are to be served by a
6 2 single polling place and the location of the polling
6 3 place.

6 4 2. After the public hearing, the board of
6 5 supervisors shall, by resolution, approve the polling
6 6 place designation submitted by the commissioner,
6 7 reject the polling place designation, or modify the
6 8 plan for designating a single polling place for
6 9 multiple precincts subject to the requirements of
6 10 subsection 3. If the board rejects the polling place
6 11 designation, the commissioner shall not be allowed to
6 12 proceed under this section.

6 13 3. The combined population of the precincts to be
6 14 served by a single polling place shall not exceed
6 15 three thousand five hundred according to the latest
6 16 federal decennial census. All of the precincts served
6 17 by a single polling place shall be contiguous to the
6 18 precinct where such designated polling place is
6 19 located.

6 20 4. An election board shall be appointed for each
6 21 precinct served by a single polling place. Each
6 22 election board shall operate independently of the
6 23 other election board and shall perform its duties for
6 24 its precinct only. However, all voting systems or
6 25 voting machines installed at such polling place shall
6 26 be for the use of all of the residents of the
6 27 precincts served by the single polling place.

6 28 Sec. 9. Section 49.14, subsection 1, Code 2005, is
6 29 amended to read as follows:

6 30 1. The commissioner may appoint substitute
6 31 precinct election officials as alternates for election
6 32 board members. ~~A majority of the original election
6 33 board members shall be present at the precinct polling
6 34 place at all times; at partisan elections such
6 35 majority shall include at least one precinct election
6 36 official from each political party. If the
6 37 chairperson leaves the polling place, the chairperson
6 38 shall designate another member of the board to serve
6 39 as chairperson until the chairperson returns. The
6 40 responsibilities and duties of a precinct election
6 41 official, other than the chairperson, present at the
6 42 time the polling place was opened on the day of an
6 43 election may be assumed at any later time that day by
6 44 a substitute appointed as an alternate. The
6 45 substitute shall serve either for the balance of that
6 46 election day or for any shorter period of time the
6 47 commissioner may designate. At partisan elections, a
6 48 substitute precinct election official assuming the
6 49 duties of a precinct election official shall be a
6 50 member of the same political party as the precinct
7 1 election official whose duties are being assumed.~~

7 2 Sec. 10. Section 49.21, unnumbered paragraph 1,
7 3 Code 2005, is amended to read as follows:

7 4 It is the responsibility of the commissioner to
7 5 designate a polling place for each precinct in the
7 6 county. However, the commissioner may designate a
7 7 single polling place for multiple precincts, subject
7 8 to the requirements of section 49.10A.

7 9 Sec. 11. Section 49.25, subsection 2, unnumbered
7 10 paragraph 1, Code 2005, is amended to read as follows:

7 11 The commissioner shall furnish to each ~~precinct
7 12 polling place~~, in advance of each election, voting
7 13 machines meeting the requirements of chapter 52 or
7 14 voting booths, as the case may be, in the following
7 15 number:

7 16 Sec. 12. Section 49.25, subsection 3, Code 2005,
7 17 is amended to read as follows:

7 18 3. The commissioner shall furnish to each ~~precinct~~
7 19 ~~polling place~~ where voting is to be by paper ballot,
7 20 special paper ballot, or ballot card, rather than by
7 21 voting machine, the necessary ballot boxes, suitably
7 22 equipped with seals or locks and keys, and voting
7 23 booths. The voting booths shall be approved by the
7 24 board of examiners for voting machines and electronic
7 25 voting systems and shall provide for voting in
7 26 secrecy. At least one voting booth in each ~~precinct~~
7 27 ~~polling place~~ shall be accessible to persons with
7 28 disabilities. If the lighting in the polling place is
7 29 inadequate, the voting booths used in that precinct
7 30 shall include lights. Ballot boxes shall be locked or
7 31 sealed before the polls open and shall remain locked
7 32 or sealed until the polls are closed, except as
7 33 provided in sections 51.7 and 52.40, or to provide
7 34 necessary service to a malfunctioning portable vote
7 35 tallying device. If a ballot box is opened prior to
7 36 the closing of the polls, two precinct election
7 37 officials not of the same party shall be present and
7 38 observe the ballot box being opened.

7 39 Sec. 13. Section 49.31, subsection 2, unnumbered
7 40 paragraph 2, Code 2005, is amended to read as follows:

7 41 On the general election ballot the names of
7 42 candidates for the nonpartisan offices listed in
7 43 section 39.21 shall be arranged by drawing lots for
7 44 position. The board of supervisors shall hold the
7 45 drawing at its first meeting following the deadline
7 46 for ~~receipt of objections and withdrawals by~~
7 47 ~~candidates filing of nomination certificates or~~
7 48 ~~petitions with the commissioner~~ for the general
7 49 election pursuant to section 44.4.

7 50 Sec. 14. Section 49.57, subsections 2 and 3, Code
8 1 2005, are amended to read as follows:

8 2 2. In the area of the general election ballot for
8 3 straight party voting, the party or organization names
8 4 shall be printed in capital upper case and lower case
8 5 letters of using a uniform font size, in for each
8 6 political party or nonparty political organization.
8 7 The font size shall be not less than twelve point
8 8 type. After the name of each candidate for a partisan
8 9 office the name of the candidate's political party
8 10 shall be printed in at least six point type. The
8 11 names of political parties and nonparty political
8 12 organizations may be abbreviated on the remainder of
8 13 the ballot if both the full name and the abbreviation
8 14 appear in the "Straight Party" and "Other Political
8 15 Party" areas of the ballot.

8 16 3. The names of candidates shall be printed in
8 17 capital upper case and lower case letters, of using a
8 18 uniform font size throughout the ballot, in. The font
8 19 size shall be not less than ten point type.

8 20 Sec. 15. Section 49.57, Code 2005, is amended by
8 21 adding the following new subsection:

8 22 NEW SUBSECTION. 3A. In no case shall the font
8 23 size for public measures, constitutional amendments,
8 24 and constitutional convention questions, and summaries
8 25 thereof, be less than ten point type.

8 26 Sec. 16. Section 49.57, subsection 5, Code 2005,
8 27 is amended to read as follows:

8 28 5. A portion of the ballot, which can be shown to
8 29 the precinct officials without revealing any of the
8 30 marks made by the voter, shall include the words
8 31 "Official ballot", a designation of the ballot
8 32 rotation, if any the unique identification number or
8 33 name assigned by the commissioner to the ballot style,
8 34 the date of the election, and a facsimile of the
8 35 signature of the commissioner who has caused the
8 36 ballot to be printed pursuant to section 49.51.

8 37 Sec. 17. Section 49.73, subsection 1, paragraph e,
8 38 Code 2005, is amended to read as follows:

8 39 e. The Any election conducted for the
8 40 unincorporated area of any a county voting on a local
8 41 option sales and services tax pursuant to section
8 42 423B.1.

8 43 Sec. 18. Section 49.77, subsections 1 and 2, Code
8 44 2005, are amended to read as follows:

8 45 1. The board members of their respective precincts
8 46 shall have charge of the ballots and furnish them to
8 47 the voters. Any person desiring to vote shall sign a
8 48 voter's declaration provided by the officials, in

8 49 substantially the following form:

8 50 VOTER'S DECLARATION OF ELIGIBILITY

9 1 I do solemnly swear or affirm that I am a resident
9 2 of the precinct, ward or township, city of
9 3, county of, Iowa.

9 4 I am a registered voter. I have not voted and will
9 5 not vote in any other precinct in said election.

9 6 I understand that any false statement in this
9 7 declaration is a criminal offense punishable as
9 8 provided by law.

9 9
9 10 Signature of Voter
9 11
9 12 Address
9 13
9 14 Telephone

9 15 Approved:
9 16
9 17 Board Member

9 18 At the discretion of the commissioner, this
9 19 declaration may be printed on each page of the
9 20 election register and the voter shall sign the
9 21 election register next to the voter's printed name.
9 22 The voter's signature in the election register shall
9 23 be considered the voter's signed declaration of
9 24 eligibility affidavit. The state commissioner of
9 25 elections shall prescribe by rule an alternate method
9 26 for providing the information in subsection 2 for
9 27 those counties where the declaration of eligibility is
9 28 printed in the election register.

9 29 2. One of the precinct election officials shall
9 30 announce the voter's name aloud for the benefit of any
9 31 persons present pursuant to section 49.104, subsection
9 32 2, 3, or 5. Any If the declaration of eligibility is
9 33 not printed on each page of the election register, any
9 34 of those persons may upon request view the signed
9 35 declarations of eligibility and may review the signed
9 36 declarations on file so long as the person does not
9 37 interfere with the functions of the precinct election
9 38 officials. If the declaration of eligibility is
9 39 printed on the election register, the precinct
9 40 election official shall make available for viewing a
9 41 listing of those voters who have signed declarations
9 42 of eligibility. Any of those persons present pursuant
9 43 to section 49.104, subsection 2, 3, or 5, may upon
9 44 request view the listing of those voters who have
9 45 signed declarations of eligibility, so long as the
9 46 person does not interfere with the functions of the
9 47 precinct election officials.

9 48 Sec. 19. Section 49.79, Code 2005, is amended to
9 49 read as follows:

9 50 49.79 CHALLENGES.

10 1 1. Any person offering to vote may be challenged
10 2 as unqualified by any precinct election official or
10 3 registered voter. It is the duty of each official to
10 4 challenge any person offering to vote whom the
10 5 official knows or suspects is not duly qualified. A
10 6 ballot shall be received from a voter who is
10 7 challenged, but only in accordance with section 49.81.

10 8 2. A person may be challenged for any of the
10 9 following reasons:

10 10 a. The challenged person is not a citizen of the
10 11 United States.

10 12 b. The challenged person is less than eighteen
10 13 years of age as of the date of the election at which
10 14 the person is offering to vote.

10 15 c. The challenged person is not a resident at the
10 16 address where the person is registered. However, a
10 17 person who is reporting a change of address at the
10 18 polls on election day pursuant to section 48A.27,
10 19 subsection 2, paragraph "a", subparagraph (3) shall
10 20 not be challenged for this reason.

10 21 d. The challenged person is not a resident of the
10 22 precinct where the person is offering to vote.

10 23 e. The challenged person has falsified information
10 24 on the person's registration form or on the person's
10 25 declaration of eligibility.

10 26 f. The challenged person has been convicted of a
10 27 felony, and the person's voting rights have not been
10 28 restored.

10 29 g. The challenged person has been adjudged by a

10 30 court of law to be a person who is incompetent to vote
10 31 and no subsequent proceeding has reversed that
10 32 finding.

10 33 Sec. 20. Section 50.16, Code 2005, is amended to
10 34 read as follows:

10 35 50.16 TALLY LIST OF BOARD.

10 36 The tally list shall be prepared in writing by the
10 37 election board giving, in legibly printed numerals,
10 38 the total number of people who cast ballots in the
10 39 precinct, the total number of ballots cast for each
10 40 ~~officer office~~, except those rejected, the name of
10 41 each person voted for, and the number of votes given
10 42 to each person for each different office. The tally
10 43 list shall be signed by the precinct election
10 44 officials, and be substantially as follows:

10 45 At an election at in township, or in
10 46 precinct of city or township, in county,
10 47 state of Iowa, on the ... day of ~~A.D.~~ ..., there
10 48 were ... ballots cast for the office of of which
10 49 (Candidate's name) had .. votes.
10 50 (Candidate's name) had .. votes.
11 1 (and in the same manner for any other officer).

11 2 A true tally list:

11 3 (Name) Election Board
11 4 (Name) Members.
11 5 (Name)

11 6 Attest:

11 7 (Name) Designated
11 8 (Name) Tally Keepers.

11 9 Sec. 21. Section 50.25, subsection 7, Code 2005,
11 10 is amended by striking the subsection.

11 11 Sec. 22. Section 50.25, Code 2005, is amended by
11 12 adding the following new unnumbered paragraph:

11 13 NEW UNNUMBERED PARAGRAPH. The abstract of the
11 14 votes for each county office is not required to be
11 15 made on a different sheet.

11 16 Sec. 23. Section 52.7, Code 2005, is amended by
11 17 striking the section and inserting in lieu thereof the
11 18 following:

11 19 52.7 CONSTRUCTION OF MACHINE APPROVED ==
11 20 REQUIREMENTS.

11 21 1. A voting machine approved by the state board of
11 22 examiners for voting machines and electronic voting
11 23 systems shall meet all of the following requirements:

11 24 a. Provide facilities for voting for the
11 25 candidates of at least seven different political
11 26 parties or nonparty political organizations.

11 27 b. Permit a voter to vote for any person for any
11 28 office, although not nominated as a candidate by any
11 29 party or organization.

11 30 c. Permit voting in absolute secrecy.

11 31 d. Prevent voting for more than one person for the
11 32 same office, except where a voter is lawfully entitled
11 33 to vote for more than one person for that office.

11 34 e. Afford a voter an opportunity to vote for any
11 35 or all persons for that office as the voter is by law
11 36 entitled to vote for and no more, at the same time
11 37 preventing a voter from voting for the same person
11 38 twice.

11 39 f. Provide a voter with an opportunity to change a
11 40 vote before the ballot is recorded and counted.

11 41 g. Present together the names of each team of
11 42 candidates for president and vice president and for
11 43 governor and lieutenant governor. The votes for a
11 44 team shall be counted as a vote for both candidates of
11 45 the team.

11 46 h. Provide a voter with a method for casting
11 47 write-in votes for paired offices so that the voter
11 48 can specify one person as a candidate for president or
11 49 for governor and one person as a candidate for vice
11 50 president or for lieutenant governor.

12 1 i. Accurately account for every vote cast upon it.

12 2 j. Remove information from the ballot identifying
12 3 the voter before the ballot is recorded and counted.

12 4 2. In addition to the requirements in subsection
12 5 1, a voting machine that is a direct recording
12 6 electronic device approved by the state board of
12 7 examiners for voting machines and electronic voting
12 8 systems shall meet all of the following requirements:

12 9 a. Permit straight party voting, pursuant to
12 10 section 49.94, for all political parties and nonparty

12 11 political organizations on the ballot.
12 12 b. Store an electronic image of each ballot cast
12 13 separate from the ballot tabulation function, which
12 14 ballot image may be reproduced on paper and considered
12 15 as evidence in the case of a recount, manual audit, or
12 16 machine malfunction.
12 17 c. Provide an individual paper record as provided
12 18 in section 52.7A.
12 19 Sec. 24. NEW SECTION. 52.7A DIRECT RECORDING
12 20 ELECTRONIC DEVICES == PAPER RECORD REQUIRED.
12 21 1. A voting machine that is a direct recording
12 22 electronic device shall be capable of producing a
12 23 paper record that the voter may review before the
12 24 voter casts the voter's ballot. The paper record
12 25 shall meet all of the following requirements:
12 26 a. Be readable by the voter without the use of an
12 27 electronic device. It may also be machine-readable by
12 28 an electronic voting system as described in section
12 29 52.26.
12 30 b. Not contain any information that will identify
12 31 the person who cast the ballot.
12 32 c. Be stored at the polling place in a secure
12 33 container. A voter shall not be permitted to remove
12 34 the paper record from the polling place.
12 35 2. After the polls close, the precinct election
12 36 officials shall seal all such paper records in the
12 37 manner prescribed in section 50.12. The county
12 38 commissioner of elections shall preserve the sealed
12 39 paper records for twenty-two months following federal
12 40 elections and for six months after all other
12 41 elections. Such paper records shall be preserved
12 42 separately and securely from other voting records and
12 43 shall only be inspected or examined by election
12 44 officials or members of a recount board in the event
12 45 of a recount, manual audit, or machine malfunction.
12 46 3. The paper record produced pursuant to this
12 47 section may be considered as evidence in the event of
12 48 a recount, manual audit, or machine malfunction. If
12 49 the paper record used as evidence in a recount or
12 50 manual audit is printed on a continuous paper roll,
13 1 the recount board shall cut the paper roll into
13 2 separate sections for each ballot record, or randomly
13 3 for groups of ballot records, before conducting the
13 4 recount or manual audit. The state commissioner of
13 5 elections shall adopt rules to implement this
13 6 subsection.
13 7 4. The board of examiners shall contract with a
13 8 testing authority to examine any direct recording
13 9 electronic device that is capable of producing a paper
13 10 record when the board receives a request for
13 11 examination of such a device pursuant to section 52.5.
13 12 The fees of the testing authority shall be paid by the
13 13 person who requested the certification.
13 14 Sec. 25. Section 52.25, unnumbered paragraph 2,
13 15 Code 2005, is amended to read as follows:
13 16 The entire convention question, amendment, or
13 17 public measure shall be printed and displayed
13 18 prominently in at least four places within the voting
13 19 precinct, and inside each voting booth, or on the
13 20 left-hand side inside the curtain of each voting
13 21 machine, the printing to be in conformity with the
13 22 provisions of chapter 49. The question, amendment, or
~~13 23 measure, and summaries thereof, shall be printed on~~
~~13 24 the special paper ballots or on the inserts used in~~
~~13 25 the voting machines. In no case shall the font size~~
~~13 26 be less than ten point type. The public measure shall~~
~~13 27 be summarized by the commissioner and in the largest~~
~~13 28 type possible printed on the special paper ballots or~~
~~13 29 inserts used in the voting machines, except that:~~
13 30 Sec. 26. Section 52.36, unnumbered paragraph 1,
13 31 Code 2005, is amended to read as follows:
13 32 All proceedings at the counting center shall be
13 33 under the direction of the commissioner and open to
13 34 the public. The proceedings shall be under the
13 35 observation of at least one member of each of the
13 36 political parties referred to in section 49.13,
13 37 designated by the county chairperson or, if the county
13 38 chairperson fails to make a designation, appointed by
13 39 the ~~commissioner~~ state chairperson. No person except
13 40 those employed and authorized by the commissioner for
13 41 the purpose shall touch any ballot or ballot

13 42 container.

13 43 Sec. 27. Section 376.11, unnumbered paragraphs 1
13 44 and 2, Code 2005, are amended to read as follows:

13 45 Write-in votes are permitted to be cast in all
13 46 elections for city offices. A person who receives a
13 47 sufficient number of write-in votes to be elected to a
13 48 city office shall be declared the winner of the
13 49 election. If a person who was elected by write-in
13 50 votes chooses not to serve in that office the person
14 1 shall submit a resignation in writing to the city
14 2 clerk not later than five ~~o'clock~~ p.m. on the tenth
14 3 day following the canvass of the election. If a
14 4 person who was elected by write-in votes resigns at a
14 5 later time, the office shall be considered vacant at
14 6 the end of the term and the council shall fill the
14 7 vacancy pursuant to the provisions of section 372.13,
14 8 subsection 2.

14 9 Except in cities where the council has chosen a
14 10 runoff election in lieu of a primary, following the
14 11 resignation of a person who was elected by write-in
14 12 votes, the city clerk shall notify the person who
14 13 received the next highest number of votes cast for the
14 14 office that the person may assume the office. If the
14 15 person accepts the position, the person shall be
14 16 considered the duly elected officer unless, within ten
14 17 days after the clerk has given notice, a petition
14 18 requesting a special election is filed by eligible
14 19 electors of the city equal in number to twenty-five
14 20 percent of the number of persons who voted for the
14 21 office at the election. If the person declines, the
14 22 person shall do so in writing to the city clerk within
14 23 ten days and the office shall be considered vacant at
14 24 the end of the term. The vacancy shall be filled
14 25 pursuant to the provisions of section 372.13,
14 26 subsection 2. If the council chooses to appoint, the
14 27 appointment may be made before the end of the current
14 28 term.

14 29 Sec. 28. EFFECTIVE AND APPLICABILITY DATES.

14 30 1. The section of this division of this Act
14 31 amending section 49.77, being deemed of immediate
14 32 importance, takes effect upon enactment and applies to
14 33 elections held on or after that date.

14 34 2. The sections of this division of this Act
14 35 enacting section 49.10A and amending sections 49.8,
14 36 49.21, and 49.25, being deemed of immediate
14 37 importance, take effect upon enactment and apply to
14 38 elections held on or after January 1, 2006.

14 39 3. The remainder of this division of this Act
14 40 applies to elections held on or after January 1, 2006.

14 41 DIVISION II
14 42 ABSENTEE VOTING

14 43 Sec. 29. Section 39A.4, subsection 1, paragraph c,
14 44 subparagraphs (10), (11), and (12), Code 2005, are
14 45 amended to read as follows:

14 46 (10) As an incumbent officeholder of, or a
14 47 candidate for, an office being voted for at the
14 48 election in progress, serving as a member of a
14 49 challenging committee or observer under section
14 50 49.104, subsection 2, 5, or 6, or section 53.23,
15 1 subsection 4.

15 2 (11) Returning a voted absentee ballot, by mail or
15 3 in person, to the commissioner's office and the person
15 4 returning the ballot is not the voter, an immediate
15 5 family member authorized by the voter to return the
15 6 ballot, an absentee ballot courier, a special precinct
15 7 election official designated pursuant to section
15 8 53.22, subsection 1, or the designee of a voter
15 9 described in section 53.22, subsection 5.

15 10 (12) Making a false or untrue statement reporting
15 11 that a voted absentee ballot was returned to the
15 12 commissioner's office, by mail or in person, by a
15 13 person other than the voter, an immediate family
15 14 member authorized by the voter to return the ballot,
15 15 an absentee ballot courier, a special precinct
15 16 election official designated pursuant to section
15 17 53.22, subsection 1, or the designee of a voter
15 18 described in section 53.22, subsection 5.

15 19 Sec. 30. Section 39A.5, subsection 1, paragraph b,
15 20 subparagraph (2), Code 2005, is amended to read as
15 21 follows:

15 22 (2) ~~Neglecting or refusing to return an absentee~~

~~15 23 ballot in violation of section 53.35, or violating~~
15 24 Violating any ~~other~~ provision of chapter 53 for which
15 25 another penalty is not provided.

15 26 Sec. 31. Section 49.63, Code 2005, is amended to
15 27 read as follows:

15 28 49.63 TIME OF PRINTING == INSPECTION AND
15 29 CORRECTION.

15 30 Ballots shall be printed and in the possession of
15 31 the commissioner in time to enable the commissioner to
15 32 furnish ballots to absent voters as provided by
15 33 sections 53.8, 53.10, and 53.11. The printed ballots
15 34 shall be subject to the inspection of candidates and
15 35 their agents. If mistakes are discovered, they shall
15 36 be corrected without delay, in the manner provided in
15 37 this chapter.

15 38 Sec. 32. Section 53.2, subsections 1 and 4, Code
15 39 2005, are amended to read as follows:

15 40 1. Any registered voter, under the circumstances
15 41 specified in section 53.1, may on any day, except
15 42 election day, and not more than seventy days prior to
15 43 the date of the election, apply in person for an
15 44 absentee ballot at the commissioner's office or at any
15 45 location designated by the commissioner. However, for
15 46 those elections in which the commissioner directs the
15 47 polls be opened at noon pursuant to section 49.73, a
15 48 voter may apply in person for an absentee ballot at
15 49 the commissioner's office from eight a.m. until eleven
15 50 a.m. on election day.

16 1 PARAGRAPH DIVIDED. A registered voter may make
16 2 written application to the commissioner for an
16 3 absentee ballot. A written application for an
16 4 absentee ballot must be received by the commissioner
16 5 no later than five p.m. on the Friday before the
16 6 election. A written application for an absentee
16 7 ballot delivered to the commissioner and received by
16 8 the commissioner more than seventy days prior to the
16 9 date of the election shall be retained by the
16 10 commissioner and processed in the same manner as a
16 11 written application received not more than seventy
16 12 days before the date of the election.

16 13 4. Each application shall contain the name and
16 14 signature of the registered voter, the registered
16 15 voter's date of birth, the address at which the voter
16 16 is registered to vote, and the name or date of the
16 17 election for which the absentee ballot is requested,
16 18 and such other information as may be necessary to
16 19 determine the correct absentee ballot for the
16 20 registered voter. If insufficient information has
16 21 been provided, the commissioner shall, by the best
16 22 means available, obtain the additional necessary
16 23 information.

16 24 Sec. 33. Section 53.7, subsection 1, Code 2005, is
16 25 amended to read as follows:

16 26 1. It shall be unlawful for any employee of the
16 27 state or any employee of a political subdivision to
16 28 solicit any application or request for application for
16 29 an absentee ballot, or to take an affidavit in
16 30 connection with any absentee ballot while the employee
16 31 is on the employer's premises or otherwise in the
16 32 course of employment. However, any such employee may
16 33 take such affidavit in connection with an absentee
16 34 ballot which is cast by the registered voter in person
16 35 in the office where such employee is employed in
16 36 accordance with section 53.10 or 53.11. This
16 37 subsection shall not apply to any elected official.

16 38 Sec. 34. Section 53.8, subsection 2, Code 2005, is
16 39 amended to read as follows:

16 40 2. If an application is received so late that it
16 41 is unlikely that the absentee ballot can be returned
16 42 in time to be counted on election day, the
16 43 commissioner shall enclose with the absentee ballot a
16 44 statement to that effect. The statement shall also
16 45 point out that it is possible for the applicant, an
16 46 immediate family member of the applicant, or the
16 47 applicant's designee if the absentee ballot is voted
16 48 by a voter described in section 53.22, subsection 5,
16 49 to personally deliver the completed absentee ballot to
16 50 the office of the commissioner at any time before the
17 1 closing of the polls on election day. The statement
17 2 shall also point out that it is possible for an
17 3 absentee ballot courier to personally deliver the

17 4 completed absentee ballot to the office of the
17 5 commissioner within seventy-two hours of retrieving
17 6 the completed ballot or before the closing of the
17 7 polls on election day, whichever is earlier.

17 8 Sec. 35. Section 53.8, subsection 3, unnumbered
17 9 paragraph 3, Code 2005, is amended to read as follows:

17 10 Nothing in this subsection nor in section 53.22
17 11 shall be construed to prohibit a registered voter who
17 12 is a hospital patient or resident of a health care
17 13 facility, or who anticipates entering a hospital or
17 14 health care facility before the date of a forthcoming
17 15 election, from casting an absentee ballot in the
17 16 manner prescribed by section 53.10 or 53.11.

17 17 Sec. 36. Section 53.17, subsection 1, paragraph a,
17 18 Code 2005, is amended to read as follows:

17 19 a. The sealed carrier envelope may be delivered by
17 20 the registered voter, by an immediate family member of
17 21 the voter, by the special precinct election officials
17 22 designated pursuant to section 53.22, subsection 1, or
17 23 by the voter's designee if the absentee ballot is
17 24 voted by a voter described in section 53.22,
17 25 subsection 5, to the commissioner's office no later
17 26 than the time the polls are closed on election day.

17 27 If the sealed carrier envelope is delivered by an
17 28 immediate family member of the voter, the immediate
17 29 family member shall, upon delivery of the envelope to
17 30 the commissioner, complete a form provided by the
17 31 commissioner containing the following information:

17 32 (1) The immediate family member's name and
17 33 address.

17 34 (2) The immediate family member's relationship to
17 35 the voter.

17 36 (3) The serial number on the sealed carrier
17 37 envelope.

17 38 (4) An attestation stating that the immediate
17 39 family member was authorized by the voter to return
17 40 the sealed carrier envelope.

17 41 (5) The signature of the immediate family member.

17 42 Sec. 37. Section 53.22, subsection 1, paragraph a,
17 43 unnumbered paragraph 1, Code 2005, is amended to read
17 44 as follows:

17 45 A registered voter who has applied for an absentee
17 46 ballot, in a manner other than that prescribed by
17 47 section 53.10 or 53.11, and who is a resident or
17 48 patient in a health care facility or hospital located
17 49 in the county to which the application has been
17 50 submitted shall be delivered the appropriate absentee
18 1 ballot by two special precinct election officers, one
18 2 of whom shall be a member of each of the political
18 3 parties referred to in section 49.13, who shall be
18 4 appointed by the commissioner from the election board
18 5 panel for the special precinct established by section
18 6 53.20. The special precinct election officers shall
18 7 be sworn in the manner provided by section 49.75 for
18 8 election board members, shall receive compensation as
18 9 provided in section 49.20 and shall perform their
18 10 duties during the ten calendar days preceding the
18 11 election and on election day if all ballots requested
18 12 under section 53.8, subsection 3 have not previously
18 13 been delivered and returned.

18 14 Sec. 38. Section 53.23, subsection 3, unnumbered
18 15 paragraph 1, Code 2005, is amended to read as follows:

18 16 The commissioner shall set the convening time for
18 17 the board, allowing a reasonable amount of time to
18 18 complete counting all absentee ballots by ten p.m. on
18 19 election day. The commissioner may direct the board
18 20 to meet on the day before the election solely for the
18 21 purpose of reviewing the absentee voters' affidavits
18 22 appearing on the sealed ballot envelopes. If in the
18 23 commissioner's judgment this procedure is necessary
18 24 due to the number of absentee ballots received, the
18 25 members of the board may open the sealed ballot
18 26 envelopes and remove the secrecy envelope containing
18 27 the ballot, but under no circumstances shall a secrecy
18 28 envelope be opened before the board convenes on
18 29 election day. If the ballot envelopes are opened
18 30 before election day, two observers, one appointed by
18 31 each of the two political parties referred to in
18 32 section 49.13, subsection 2, shall witness the
18 33 proceedings. However, up to four additional
18 34 observers, two appointed by each of such political

18 35 parties, may witness the proceedings.

18 36 Sec. 39. Section 53.31, unnumbered paragraph 1,
18 37 Code 2005, is amended to read as follows:

18 38 Any person qualified to vote at the election in
18 39 progress may challenge the qualifications of a person
18 40 casting an absentee ballot by submitting a written
18 41 challenge to the commissioner no later than five p.m.
18 42 on the ~~day~~ Friday before the election. It is the duty
18 43 of the special precinct officials to challenge the
18 44 absentee ballot of any person whom the official knows
18 45 or suspects is not duly qualified. Challenges by
18 46 members of the special precinct election board or
18 47 observers present pursuant to section 53.23 may be
18 48 made at any time before the close of the polls on
18 49 election day. The challenge shall state the reasons
18 50 for which the challenge is being submitted and shall
19 1 be signed by the challenger. When a challenge is
19 2 received the absentee ballot shall be set aside for
19 3 consideration by the special precinct election board
19 4 when it meets as required by section 50.22.

19 5 Sec. 40. Section 53.37, Code 2005, is amended to
19 6 read as follows:

19 7 53.37 DEFINITIONS.

19 8 1. This division is intended to implement the
19 9 federal Uniform and Overseas Citizens Absentee Voting
19 10 Act, 42 U.S.C. } 1973ff et seq.

19 11 2. The term "armed forces of the United States",
19 12 as used in this division, shall mean the army, navy,
19 13 marine corps, coast guard, and air force of the United
19 14 States.

19 15 3. For the purpose of absentee voting only, there
19 16 shall be included in the term "armed forces of the
19 17 United States" the following:

19 18 ~~1-~~ a. Spouses and dependents of members of the
19 19 armed forces while in active service.

19 20 ~~2-~~ b. Members of the merchant marine of the
19 21 United States and their spouses and dependents.

19 22 ~~3-~~ c. Civilian employees of the United States in
19 23 all categories serving outside the territorial limits
19 24 of the several states of the United States and the
19 25 District of Columbia and their spouses and dependents
19 26 when residing with or accompanying them, whether or
19 27 not the employee is subject to the civil service laws
19 28 and the Classification Act of 1949, and whether or not
19 29 paid from funds appropriated by the Congress.

19 30 ~~4-~~ d. Members of religious groups or welfare
19 31 agencies assisting members of the armed forces, who
19 32 are officially attached to and serving with the armed
19 33 forces, and their spouses and dependents.

19 34 ~~5-~~ e. Citizens of the United States who do not
19 35 fall under any of the categories described in
19 36 subsections 1 to 4, but who are entitled to register
19 37 and vote pursuant to section 48A.5, subsection 4.

19 38 4. For the purposes of this division, "qualified
19 39 voter" means a person who is included within the term
19 40 "armed forces of the United States" as described in
19 41 this section, who would be qualified to register to
19 42 vote under section 48A.5, subsection 2, except for
19 43 residency, and who is not disqualified from
19 44 registering to vote and voting under section 48A.6.

19 45 Sec. 41. Section 53.38, Code 2005, is amended to
19 46 read as follows:

19 47 53.38 WHAT CONSTITUTES REGISTRATION.

19 48 Whenever a ballot is requested pursuant to section
19 49 53.39 or 53.45 on behalf of a voter in the armed
19 50 forces of the United States, the affidavit upon the
20 1 ballot envelope of such voter, if the voter is found
20 2 to be an eligible elector of the county to which the
20 3 ballot is submitted, shall constitute a sufficient
20 4 registration under chapter 48A. A completed federal
20 5 postcard registration and federal absentee ballot
20 6 request form submitted by such eligible elector shall
20 7 also constitute a sufficient registration under
20 8 chapter 48A. The commissioner shall place the voter's
20 9 name on the registration record as a registered voter
20 10 if it does not already appear there. The

20 11 identification requirements of section 48A.8 and the
20 12 verification requirements of section 48A.25A do not
20 13 apply to persons who register to vote under this
20 14 division.

20 15 Sec. 42. Section 53.41, Code 2005, is amended to

20 16 read as follows:
20 17 53.41 RECORDS BY COMMISSIONER == EXCESS REQUESTS
20 18 OR BALLOTS.
20 19 The commissioner of each county shall establish and
20 20 maintain a record of all requests for ballots which
20 21 are made, and of all ballots transmitted, and the
20 22 manner of transmittal, from and received in the
20 23 commissioner's office under the provisions of this
20 24 division.
20 25 PARAGRAPH DIVIDED. If more than one request for
20 26 absent voter's ballot for a particular election is
20 27 made to the commissioner before the ballots are ready
20 28 to mail by or on behalf of a voter in the armed forces
20 29 of the United States, the last request ~~first~~ received
20 30 shall be honored, except that if one of the requests
20 31 is made by the voter, ~~and a request on the voter's~~
20 32 ~~behalf has not been previously honored,~~ the request of
20 33 the voter shall be honored in preference to a request
20 34 made on the voter's behalf by another.
20 35 PARAGRAPH DIVIDED. Not more than one ballot shall
20 36 be transmitted by the commissioner to any voter for a
20 37 particular election unless after the ballot has been
20 38 mailed the voter reports a change in the address to
20 39 which the ballot should be sent. A ballot shall be
20 40 mailed using a serial number that indicates that this
20 41 is a replacement sent to an updated address. The
20 42 original ballot shall be counted only if the
20 43 replacement ballot does not arrive. If the
20 44 commissioner receives more than one absent voter's
20 45 ballot, provided for by this division, from or
20 46 purporting to be from any one voter for a particular
20 47 election, all of the ballots so received from or
20 48 purporting to be from such voter are void, and the
20 49 commissioner shall not deliver any of the ballots to
20 50 the precinct election officials, but shall retain them
21 1 in the commissioner's office, and preserve them for
21 2 the period and under the conditions provided for in
21 3 sections 50.12 through 50.15 and section 50.19.
21 4 Sec. 43. Section 53.44, unnumbered paragraph 2,
21 5 Code 2005, is amended to read as follows:
21 6 Absentee ballots issued under this division shall
21 7 be returned ~~in the same manner~~ either by mail by the
21 8 voter or a person designated by the voter or by
21 9 personal delivery by the voter or a person designated
21 10 by the voter and within the same time limits specified
21 11 in section 53.17.
21 12 Sec. 44. Section 53.53, subsection 4, paragraph a,
21 13 Code 2005, is amended to read as follows:
21 14 a. The ballot was submitted from within the United
21 15 States, unless the voter is a member of the armed
21 16 forces of the United States, as described in section
21 17 53.37, subsection 2, on active duty and away from the
21 18 voter's county of residence for purposes of serving on
21 19 active duty.
21 20 Sec. 45. Section 53.53, subsection 4, paragraph b,
21 21 Code 2005, is amended to read as follows:
21 22 b. The voter's application for a regular absentee
21 23 ballot was received by the commissioner less than
21 24 ~~thirty~~ fourteen days prior to the election.
21 25 Sec. 46. Section 53.35, Code 2005, is repealed.
21 26 Sec. 47. APPLICABILITY DATE. This division of
21 27 this Act applies to elections held on or after January
21 28 1, 2006.

DIVISION III

VOTER REGISTRATION

21 31 Sec. 48. Section 48A.2, Code 2005, is amended by
21 32 adding the following new subsection:
21 33 NEW SUBSECTION. 6. "Voter registration list"
21 34 means a compilation of voter registration records
21 35 produced, upon request, from the electronic voter
21 36 registration file or by viewing, upon request, the
21 37 original, completed voter registration applications
21 38 and forms.
21 39 Sec. 49. Section 48A.5, subsection 2, paragraph c,
21 40 Code 2005, is amended to read as follows:
21 41 c. Be at least eighteen years of age. Completed
21 42 registration forms shall be accepted from registrants
21 43 who are at least seventeen and a half years of age;
21 44 however, the registration shall not be effective until
21 45 the registrant reaches the age of eighteen. The
21 46 commissioner of registration shall ensure that the

21 47 birth date shown on the registration form is at least
21 48 seventeen and one-half years earlier than the date the
21 49 registration is processed.

21 50 Sec. 50. Section 48A.11, subsection 8, Code 2005,
22 1 is amended to read as follows:
22 2 8. A voter registration application lacking the
22 3 registrant's name, sex, date of birth, or residence
22 4 address or description shall not be processed. A
22 5 voter registration application lacking the
22 6 registrant's driver's license number, Iowa
22 7 nonoperator's identification card number, or the last
22 8 four digits of the registrant's social security number
22 9 shall not be processed. A voter registration
22 10 application lacking the registrant's signature shall
22 11 not be processed. A registrant whose registration is
22 12 not processed pursuant to this subsection shall be
22 13 notified pursuant to section 48A.26, subsection 3. A
22 14 registrant who does not have an Iowa driver's license
22 15 number, an Iowa nonoperator's identification number,
22 16 or a social security number and who notifies the
22 17 registrar of such shall be assigned a unique
22 18 identifying number that shall serve to identify the
22 19 registrant for voter registration purposes.

22 20 Sec. 51. Section 48A.25A, Code 2005, is amended to
22 21 read as follows:

22 22 48A.25A VERIFICATION OF VOTER REGISTRATION
22 23 INFORMATION.

22 24 Upon receipt of an application for voter
22 25 registration ~~by mail~~, the state registrar of voters
22 26 shall compare the driver's license number, the Iowa
22 27 nonoperator's identification card number, or the last
22 28 four numerals of the social security number provided
22 29 by the registrant with the records of the state
22 30 department of transportation or the social security
22 31 administration. To be verified, the voter
22 32 registration record shall contain the same name, date
22 33 of birth, and driver's license number or Iowa
22 34 nonoperator's identification card number or whole or
22 35 partial social security number as the records of the
22 36 state department of transportation or social security
22 37 administration. If the information cannot be
22 38 verified, the application shall be rejected and the
22 39 registrant shall be notified of the reason for the
22 40 rejection. If the information can be verified, a
22 41 record shall be made of the verification and the
22 42 application shall be accepted.

22 43 The voter registration commission shall adopt rules
22 44 in accordance with chapter 17A to provide procedures
22 45 for processing registration applications if the ~~state~~
22 46 ~~department of transportation does not,~~ applications
22 47 cannot be verified before the close of registration
22 48 for an election for which the voter registration
22 49 otherwise would be effective, ~~if verified, provide a~~
22 50 ~~report that the information on the application has~~
23 1 ~~matched or not matched the records of the department.~~

23 2 This section does not apply to persons described in
23 3 section 53.37 who are entitled to register to vote and
23 4 to vote pursuant to section 48A.5, subsection 4.

23 5 Sec. 52. Section 48A.26, subsection 4, Code 2005,
23 6 is amended to read as follows:

23 7 4. If the registrant applied by mail to register
23 8 to vote and did not answer either "yes" or "no" to the
23 9 question in section 48A.11, subsection 3, paragraph
23 10 "a", the application shall not be processed, ~~but the~~
23 11 ~~registration shall be designated as valid only for~~
23 12 ~~elections that do not include candidates for federal~~
23 13 ~~offices on the ballot.~~ The acknowledgment shall
23 14 advise the applicant ~~that the status of the~~
23 15 ~~registration is local and the reason for the~~
23 16 ~~registration being assigned local status~~ what
23 17 additional information is required. The commissioner
23 18 shall enclose a new registration by mail form for the
23 19 applicant to use. If the original application is
23 20 received during the twelve days before the close of
23 21 registration for an election that includes candidates
23 22 for federal offices on the ballot, the ~~commissioner~~
23 23 acknowledgment shall provide inform the registrant
23 24 with an that the registrant has the opportunity to
23 25 complete the form ~~before the close of registration up~~
23 26 until five p.m. on the day before the election.

23 27 Sec. 53. Section 48A.37, subsection 2, Code 2005,

23 28 is amended to read as follows:
23 29 2. Electronic records shall include a status code
23 30 designating whether the records are active, inactive,
23 31 ~~local~~, or pending. Inactive records are records of
23 32 registered voters to whom notices have been sent
23 33 pursuant to section 48A.28, subsection 3, and who have
23 34 not returned the card or otherwise responded to the
23 35 notice, and those records have been designated
23 36 inactive pursuant to section 48A.29. ~~Local records~~
~~23 37 are records of applicants who did not answer either~~
~~23 38 "yes" or "no" to the question in section 48A.11,~~
~~23 39 subsection 3, paragraph "a". Pending records are~~
23 40 records of applicants whose applications have not been
23 41 verified pursuant to section 48A.25A. All other
23 42 records are active records. An inactive record shall
23 43 be made active when the registered voter votes at an
23 44 election, registers again, or reports a change of
23 45 name, address, telephone number, or political party
23 46 affiliation. A pending record shall be made active
23 47 upon verification. ~~A local record shall be valid for~~
~~23 48 any election for which no candidates for federal~~
~~23 49 office appear on the ballot. A registrant with only a~~
~~23 50 local record shall not vote in a federal election~~
~~24 1 unless the registrant submits a new voter registration~~
~~24 2 application before election day indicating that the~~
~~24 3 applicant is a citizen of the United States.~~
24 4 Sec. 54. APPLICABILITY DATE. This division of
24 5 this Act applies to elections held on or after January
24 6 1, 2006.>
24 7 #2. By striking title page 1, line 1, through
24 8 title page 2, line 5, and inserting the following: <An
24 9 Act relating to the conduct of elections and voter
24 10 registration and including effective date and
24 11 applicability provisions.>
24 12 #3. By renumbering as necessary.
24 13
24 14
24 15
24 16

COMMITTEE ON STATE GOVERNMENT
24 17 WALLY E. HORN, CO=CHAIRPERSON
24 18
24 19
24 20
24 21

LARRY McKIBBEN, CO=CHAIRPERSON
24 22 HF 644.501 81
24 23 sc/pj/4535